

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/817,801
Confirmation No. 8360
.....
Filing Date 3/26/2001
Inventorship Novak
Appellant..... Microsoft Corporation
Group Art Unit.....2443
Examiner Shin, Kyung
Attorney's Docket No. MS1-0787US
Title: METHODS AND SYSTEMS FOR PROCESSING MEDIA CONTENT

REPLY BRIEF

To: Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

From: Kristina M. Kuhnert (Tel. 509-944-4717; Fax 509-323-8979)
Customer No. 22801
Lee & Hayes, PLLC
601W. Riverside Ave., Suite 1400
Spokane, WA 99201

In response to Examiner's Answer dated October 28, 2009, in connection with Appellant's Appeal Brief filed on October 22, 2007, a Reply Brief pursuant to 37 C.F.R. §41.41 is submitted. Appellant respectfully requests favorable consideration.

Status of Claims

Claims 1-16, 18-22, 24-39 and 41-65 stand rejected and are pending in the application.

Grounds of Rejection to be Reviewed on Appeal

The grounds of rejection are correct as stated in the Examiner's answer mailed October 28, 2009 and as stated below.

Claims 1-4, 8-10, 12, 15, 16, 18, 19, 21, 22, 24, 25, 26, 28-33, 35-39, 42, 44-47, and 49-65 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,248,946 to Dwek, in view of U.S. Patent No. 6,760,721 to Chasen, and in further view of U.S. Patent No. 6,223,224 to Bodin.

Claims 5, 6, 14, 20, 27, 34 43, and 48 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,248,946 to Dwek, in view of U.S. Patent No. 6,760,721 to Chasen, and in further view of U.S. Patent No. 6,223,224 to Bodin, and in further view of U.S. Patent No. 6,496,802 to Van Zoest.

Claims 7, 11, 13, and 41 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,248,946 to Dwek, in view of U.S. Patent No. 6,760,721 to Chasen, and in further view of U.S. Patent No. 6,223,224 to Bodin, and in further view of U.S. Patent No. 6,330,670 to England.

Rejections under 35 U.S.C. §103(a)

In the Examiner's Answer, the stated rejections of claims **1-4, 8-10, 12, 15, 16, 18, 19, 21, 22, 24, 25, 26, 28-33, 35-39, 42, 44-47, and 49-65** are similar or the same as those provided in the Final Office Action of October 23, 2006. Appellant fully addressed these rejections in Appellant's Appeal Brief. In the interest of brevity, Appellant will not repeat Appellant's arguments from the Appeal Brief.

Claims Rejected Over Dwek, in view of Chasen, and in further view of

Bodin

Independent claim 1 recites a method of providing a user experience when playing media on a media player comprising:

 downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;

 playing the media content with a media player;
and

 automatically displaying the user interface when the media content is played with the media player.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 1 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant further argues as follows in view of the Examiner's Answer.

Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 2, 3, and 4 depend from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 8 recites one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

- download a file that contains at least one media-specific file configured to provide a user interface, and song files with which the user interface is associated;
- play the song files with a media player; and
- automatically display the user interface when the song files are played with the media player.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 8 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Independent claim 9 recites a media player comprising software code that is configured to:

- download a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated;
- play the media content; and
- automatically display the user interface on at least a portion of a media player user interface when the media content is played with the media player.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 9 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claim 10 depends from claim 9 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 9, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 12 recites a method of organizing media content comprising:

- providing at least one media-specific file that is configured to provide a user interface on at least a portion of a media player;

- providing at least one media content file configured for play on the media player; and

- associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the user interface on at least a portion of the media player,

- wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 12 as made in the Appeal Brief. No admission is made with

respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 15, 16, and 18 depend from claim 12 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 12, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 19 recites a method of organizing media content comprising:

- providing at least one media-specific file that is configured to provide a media player user interface;
- providing at least one media content file configured for play on a media player; and
- associating the one media-specific file with the one media content file such that any time the one media content file is played on the media player, the one media-specific file is processed to automatically display the media player user interface,
- wherein said associating comprises packaging the one media-specific file and the one media content file in a single downloadable file.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 19 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the

reasons discussed within the Appeal Brief.

Claims 21, 22, and 24 depends from claim 19 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 19, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 25 recites a method of organizing content for a user experience comprising:

- providing multiple different files that define different aspects of a media player user interface, at least some files being associated with media content and at least some other files being associated with visual content; and

- organizing the files for sending over a network to a client computer, said organizing using a hierarchical tag-based structure to establish a relationship between the files such that when the media content is played by a media player, the visual content is automatically displayed as at least part of the media player user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 25 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claim 26 depends from claim 25 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features

which, in combination with those recited in claim 25, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 28 recites a method of accessing media content comprising:

- displaying a link to media content;
 - responsive to a user clicking on the link, automatically downloading a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file;
- playing the media content on a media player;
- and
 - responsive to said playing, automatically displaying said portion of the media player user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 28 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 29 and 30 depend from claim 28 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 28, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 31 recites one or more computer-readable media having computer readable instructions thereon which, when executed by a computer, cause the computer to:

- display a link to media content;
- responsive to a user clicking on the link, automatically download a file that contains at least one media content file and at least one file that is configured to provide at least a portion of a media player user interface that is specific to media content associated with the one media content file;
- play the media content on a media player; and
- responsive to playing the media content, automatically display said portion of the media player user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 31 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Independent claim 32 recites a media delivery mechanism comprising:

- a single file comprising:
 - one or more media content files associated with content that can be played on a media player;
 - one or more content-specific files that can be processed to provide a content-specific user interface associated with content that is played on the media player; and
- a relationship between the one or more media content files and the one or more content-specific files such that a content-specific user interface is displayed on a computer when the content associated with the one or more media content files is played on the media player.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 32 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 33 and 35-38 depend from claim 32 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 32, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 39 recites a method of providing a media delivery mechanism comprising:

- providing one or more media-specific files, the files being configured to provide at least a portion of a media player user interface, said portion being associated with specific media that can be played on a media player;

- providing one or more media content files associated with media that can be played on a media player embodying the media player user interface, said media content files comprising the specific media with which the media player user interface portion is associated; and

- defining one or more metafiles that associate the one or more media-specific files with the one or more media content files, the one or more metafiles being configured for processing such that when the media player plays media associated with a media content file, the media player automatically renders the media player user interface portion;

associating the one or more media-specific files, the one or more media content files, and the one or more metafiles in a single downloadable file.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 39 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 42 and 44 depend from claim 39 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 39, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 45 recites a method of providing media content over a network comprising:

- receiving input requesting that a file be sent to a client computer, the file comprising:

- one or more media content files associated with content that can be played on a media player on the client computer,

- one or more media-specific files that can be processed to provide a content-specific user interface, and

- one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player; and

- sending the requested file to the client computer.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 45 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 46, 47, and 49 depend from claim 45 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 45, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 50 recites a server computer comprising:

- at least one computer-readable media; and
- computer-readable instructions resident on the computer-readable media which, when executed by the server, cause the server to:

- maintain multiple files, each file comprising:

- one or more media content files associated with content that can be played on a media player on the client computer,

- one or more media-specific files that can be processed to provide a content-specific user interface,
- and

- one or more metafiles that establish a relationship between the one or more media content files and the one or more media specific files such that a content-specific user interface is displayed when the content is played on the media player;

- receive input requesting that one or more of the multiple files be sent to a client computer; and

send the one or more requested files to the client computer.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 50 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Independent claim 51 recites a method for playing media content on a media player comprising:

- receiving a file with a client computer, the file comprising:

- one or more media content files associated with content that can be rendered on a media player on the client computer,

- at least one media-specific file that can be processed to provide a content-specific user interface, and

- at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player;

- playing content associated with the content files on the media player embodied on the client computer; and

- while playing the content on the media player, displaying the content-specific user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 51 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish

that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 52-54 depend from claim 51 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 51, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 55 recites a media player comprising software code that is configured to:

- receive a file with a client computer, the file comprising:

- one or more media content files associated with content that can be rendered on the media player,

- at least one media-specific file that can be processed to provide a content-specific user interface,
- and

- at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player;

- play content associated with the content files;
- and

- while playing the content, display the content-specific user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 55 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Independent claim 56 recites a method for processing media content comprising:

receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be rendered on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

automatically organizing the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on a media player without any intervention from the user.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 56 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 57-60 depend from claim 56 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 56, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 61 recites a media player comprising software code configured to cause the media player to:

- receive a file, the file comprising:
 - one or more media content files associated with content that can be rendered on the media player,
 - at least one media-specific file that can be processed to provide a content-specific user interface,
- and

- at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

- automatically organize the received files in one or more directories on a client computer hard drive without any intervention from a user, the files being organized in a manner that permits audio and visual content to be played on the media player without any intervention from the user.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 61 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claim 62 depends from claim 61 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 61, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Independent claim 63 recites a method of playing media content comprising:

receiving a file with a client computer, the file comprising:

one or more media content files associated with content that can be played on a media player on the client computer,

at least one media-specific file that can be processed to provide a content-specific user interface, and

at least one metafile that establishes a relationship between the media content files and the media-specific files such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and

automatically playing content associated with the one or more media content files using a media player embodied on the client computer; and

while playing said content, automatically displaying the content-specific user interface.

Appellant respectfully reiterates all arguments in favor of allowance of independent claim 63 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims 64 and 65 depend from claim 63 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 63, are neither shown nor suggested by the references of record either singly or in permissible combination with one another.

Claims Rejected Over Dwek, in view of Chasen, in further view of Bodin, and in further view of Van Zoest

Claims 5, 6, 14, 20, 27, 34, 43, and 48 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,248,946 to Dwek, in view of U.S. Patent No. 6,760,721 to Chasen, and in further view of U.S. Patent No. 6,223,224 to Bodin, and in further view of U.S. Patent No. 6,496,802 to Van Zoest.

Appellant respectfully reiterates all arguments in favor of allowance of claims 5, 6, 14, 20, 27, 34, 43, and 48 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Claims Rejected Over Dwek, in view of Chasen, in further view of Bodin, and in further view of England

Claims 7, 11, 13, and 41 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,248,946 to Dwek, in view of U.S. Patent No. 6,760,721 to Chasen, and in further view of U.S. Patent No. 6,223,224 to Bodin, and in further view of U.S. Patent No. 6,330,670 to England.

Appellant respectfully reiterates all arguments in favor of allowance of claims 7, 11, 13, and 41 as made in the Appeal Brief. No admission is made with respect to any assertions put forth within the Examiner's Answer not addressed herein. Appellant, therefore, respectfully submits that the Office fails to establish that the cited prior art references disclose the claimed subject matter for at least the reasons discussed within the Appeal Brief.

Conclusion

For at least the reasons provided above, Appellant respectfully requests that the application is returned to prosecution so that the new issues raised may be addressed by the Appellant. Appellant respectfully requests favorable consideration of this Reply Brief.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: December 28, 2009

By: /Kristina M. Kuhnert/
Kristina M. Kuhnert
Reg. No. 62,665
509.324.9256